

### **REMARKS**

An excess claim fee payment letter is submitted herewith for fifteen (15) excess total claims and two (2) excess independent claims.

Claims 1-15 and 17-37 are all the claims presently pending in the application. Claim 17 is amended merely to change its dependency from claim 16 (canceled) to claim 1 (which was previously amended to include the recitations of claim 16). Claims 23-37 have been added to provide more varied protection for the present invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability.

Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-15 and 17-22 stand rejected on prior art grounds under 35 U.S.C. § 103(a) as being unpatentable over Maxey (U.S. Patent No. 5,590,320) in view of Uchinuma (U.S. Patent No. 5,440,737).

These rejections are respectfully traversed in the following discussion.

#### **I. THE CLAIMED INVENTION**

Applicant's invention is directed to a file manager for managing a plurality of files and locating a file from among different versions of a same file.

The invention was discussed in detail in the Amendments filed on July 2, 2002, December 3, 2002, April 14, 2003, and September 9, 2003, which are incorporated herein by reference. For convenience, the Examiner is referred thereto.

A feature of the present invention is a table for associating the file with a priority list of physical units, where the physical units store a plurality of versions of the file. Specifically, the table includes a plurality of associations of a same file logical path name and a file name in a one-to-one correspondence with a plurality of physical units.

A further feature of the present invention is that each of the plurality of associations includes an association of a unique version of the file having the same file logical path name and

the file name such that each of the stored plurality of versions of the file are not duplicated.

With such a feature, duplication of a file is avoided and several versions of a file with a common logical identification can be saved (e.g. see page 3, lines 7-11 and page 6, lines 2-12).

An exemplary configuration of the file manager and method of using a file manager to locate different versions of a file, all having the same path referring to a same logical unit and a same identifier, is shown in Figures 1 and 2 of the present application.

The conventional network systems and methods, such as those discussed below and in the Related Art section of the present application, do not have such a structure and fail to provide for such an operation.

Indeed, such features are neither disclosed nor suggested by the cited references.

## **II. CLAIM REJECTIONS BASED ON PRIOR ART GROUNDS**

Claims 1-15 and 17-20 stand rejected on prior art grounds under 35 U.S.C. § 103(a) as being unpatentable over Maxey in view of Uchinuma. Particularly, the Examiner alleges that it would have been obvious to combine the priority list of Uchinuma with the file directory system of Maxey to arrive at the claimed invention.

For at least the following reasons, Applicants respectfully disagree with the Examiner's position, and therefore, respectfully traverse this rejection.

If the use of the path table is combined with at least one directory table in Maxey, then one file (identified by a logical path name and file name) would be associated (according to file history) to one physical location corresponding to a specific version of that file.

In contrast, in the claimed invention, one unique table associates (based on a priority order) one file (identified by a logical path name and file name) to a physical location corresponding to a specific version of that file.

Applicants submit that, although the claimed invention provides a simple and efficient file manager, the claimed invention clearly is not an obvious simplification or modification of the invention of Maxey.

For example, in Maxey, to retrieve the most recent version of a file, pointers and pointer chains are used both on the system itself (path table look up) and on the different physical units (directory table look up) in order to facilitate the retrieving of the file versions according to their

history among a number of physical units.

On the other hand, in the claimed invention, only the name of a physical unit is given according to a priority list and the looking up is performed in a single pass. Moreover, the change for adding a new file name or modifying the priority list of a file name also is performed in a single pass in the unique table.

The Maxey reference is directed to archiving and relating, efficiently and securely, the different versions among the different physical units according to their history. Thus, assuming *arguendo* that it would have been obvious to combine the priority list of Uchinuma with Maxey, Applicants respectfully submit that any resulting combination of these references would still be directed to archiving and relating, efficiently and securely, the different versions among the different physical units according to a certain priority.

Thus, any combination of Maxey and Uchinuma would not have resulted in the claimed invention.

That is, contrary to the alleged combination of Maxey and Uchinuma, the claimed invention is directed to a file manager that simply and efficiently fetches a version of a program that is the least “bugged” version (when other versions of the program have been previously installed) for execution by the operating system.

For at least the foregoing reasons, Applicants respectfully submit that independent claims 1, 11, and 14 would not have been obvious over Maxey or Uchinuma, either alone or in combination. Accordingly, Applicants request that the Examiner withdraw the rejection of claims 1-15 and 17-22 and permit these claims to pass to allowance.

### **III. NEW CLAIMS**

Claims 23-37 have been added to provide more varied protection for the present invention. Applicants submit that claims 23-37 are patentable over any combination of the cited references at for reasons similar to those set forth above, as well as by virtue of the novel and unobvious features recited therein.

**IV. FORMAL MATTERS AND CONCLUSION**


In view of the foregoing, Applicant submits that claims 1-15 and 17-37, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

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